

(E) A description of any incidents in which the Department of Justice assesses that United States courts and executive departments or agencies have relied on INTERPOL communications in contravention of existing law or policy to seek the detention of individuals or render judgments concerning their immigration status or requests for asylum, with holding of removal, or convention against torture claims and any measures the Department of Justice or other executive departments or agencies took in response to these incidents.

(F) A description of how the United States monitors and responds to likely instances of abuse of INTERPOL communications by member countries that could affect the interests of the United States, including citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(G) A description of what actions the United States takes in response to credible information it receives concerning likely abuse of INTERPOL communications targeting employees of the United States Government for activities they undertook in an official capacity.

(H) A description of United States advocacy for reform and good governance within INTERPOL.

(I) A strategy for improving interagency coordination to identify and address instances of INTERPOL abuse that affect the interests of the United States, including international respect for human rights and fundamental freedoms, citizens and nationals of the United States, employees of the United States Government, aliens lawfully admitted for permanent residence in the United States, aliens who are lawfully present in the United States, or aliens with pending asylum, withholding of removal, or convention against torture claims, though they may be unlawfully present in the United States.

(3) **FORM OF REPORT.**—Each report required under this subsection shall be submitted in unclassified form, but may include a classified annex, as appropriate. The unclassified portion of the report shall be posted on a publicly available website of the Department of State and of the Department of Justice.

(4) **BRIEFING.**—Not later than 30 days after the submission of each report under paragraph (1), the Department of Justice and the Department of State, in coordination with other relevant United States Government departments and agencies, shall brief the appropriate committees of Congress on the content of the reports and recent instances of INTERPOL abuse by member countries and United States efforts to identify and challenge such abuse, including efforts to promote reform and good governance within INTERPOL.

(f) **PROHIBITION REGARDING BASIS FOR EXTRADITION.**—No United States Government department or agency may extradite an individual based solely on an INTERPOL Red Notice or Diffusion issued by another INTERPOL member country for such individual.

(g) **DEFINITIONS.**—In this section:

(1) **APPROPRIATE COMMITTEES OF CONGRESS.**—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on the Judiciary of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on the Judiciary of the House of Representatives.

(2) **INTERPOL COMMUNICATIONS.**—The term “INTERPOL communications” means any INTERPOL Notice or Diffusion or any entry into any INTERPOL database or other communications system maintained by INTERPOL.

**SA 1944.** Mr. RUBIO submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in subtitle A of title I of division F, insert the following:

**SEC. 61. PROHIBITED USE OF NIH FUNDING.**

Notwithstanding any other provision of law, no amounts made available to the National Institutes of Health may be used with respect to activities carried out by any company or its subcontractors or subsidiaries—

(1) over which control is exercised or exercisable by the Government of the People's Republic of China, a national of the People's Republic of China, or an entity organized under the laws of the People's Republic of China; or

(2) in which the Government of the People's Republic of China has a substantial interest.

**SA 1945.** Mr. LANKFORD (for himself, Mr. KING, and Ms. MURKOWSKI) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title III of division F, add the following:

**SEC. 63. LOAN GUARANTEES FOR PROJECTS THAT INCREASE THE DOMESTIC SUPPLY OF CRITICAL MINERALS.**

(a) **IN GENERAL.**—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the end the following:

“(13) Projects that increase the domestic supply of critical minerals (as defined in section 7002(a) of the Energy Act of 2020 (30 U.S.C. 1606(a)), including through the production, processing, and recycling of critical minerals and the fabrication of mineral alternatives.”.

(b) **PROHIBITION ON USE OF PREVIOUSLY APPROPRIATED FUNDS.**—Amounts appropriated to the Department of Energy before the date of enactment of this Act shall not be made available for the cost of loan guarantees made under paragraph (13) of section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

(c) **PROHIBITION ON USE OF PREVIOUSLY AVAILABLE COMMITMENT AUTHORITY.**—

Amounts made available to the Department of Energy for commitments to guarantee loans under section 1703 of the Energy Policy Act of 2005 (42 U.S.C. 16513) before the date of enactment of this Act shall not be made available for commitments to guarantee loans for projects described in paragraph (13) of section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)).

**SA 1946.** Mr. GRAHAM submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

**DIVISION G—COMBATING CHINESE THEFT OF TRADE SECRETS**

**SEC. 7001. SHORT TITLE.**

This division may be cited as the “Combating Chinese Purling of Trade Secrets Act” or the “CCP Trade Secrets Act”.

**TITLE I—INCREASED PENALTIES FOR VIOLATIONS OF SECTION 2512 OF TITLE 18, UNITED STATES CODE, INVOLVING A FOREIGN GOVERNMENT**

**SEC. 7101. MANUFACTURE, DISTRIBUTION, POSSESSION, AND ADVERTISING OF WIRE, ORAL, OR ELECTRONIC COMMUNICATION INTERCEPTING DEVICES PROHIBITED.**

(a) **IN GENERAL.**—Section 2512 of title 18, United States Code, is amended by adding at the end the following:

“(4) Any person who violates this section with the intent to benefit any government of a foreign country (as defined in section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611)), agency or instrumentality of a foreign state (as defined in section 1603(b) of title 28, United States Code), or agent of a foreign principal (as defined in section 1 of the Foreign Agents Registration Act of 1938, as amended (22 U.S.C. 611)) shall be fined under this title, imprisoned for not more than 20 years, or both.”.

(b) **SENTENCING ENHANCEMENT FOR FOREIGN INVOLVEMENT IN VIOLATIONS OF SECTION 2512 OF TITLE 18, UNITED STATES CODE.**—Pursuant to its authority under section 994 of title 28, United States Code, the United States Sentencing Commission shall review and amend the Federal sentencing guidelines to ensure that the guidelines provide an additional penalty increase of not fewer than 4 offense levels if the defendant violated section 2512 of title 18, United States Code, with the intent to benefit any government of a foreign country, agency or instrumentality of a foreign state, or agent of a foreign principal.

**TITLE II—PROTECTING U.S. BUSINESSES FROM FOREIGN TRADE SECRET THEFT**

**SEC. 7201. SHORT TITLE.**

This title may be cited as the “Protecting U.S. Businesses from Foreign Trade Secrets Theft Act of 2021”.

**SEC. 7202. PROHIBITION ON MISAPPROPRIATING U.S. TRADE SECRETS.**

(a) **IN GENERAL.**—Chapter 90 of title 18, United States Code, is amended by adding at the end the following:

**“§ 1840. Applicability to foreign persons**

“(a) **DEFINITIONS.**—In this section—